

**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN  
FILED PROOFS OF CLAIM. PARTIES RECEIVING THIS NOTICE OF  
TWO HUNDRED THIRTY-THIRD OMNIBUS OBJECTION TO CLAIMS  
SHOULD REVIEW THE OMNIBUS OBJECTION TO SEE IF THEIR  
NAME(S) AND/OR CLAIM(S) ARE LOCATED IN THE OMNIBUS  
OBJECTION AND/OR IN THE EXHIBIT ATTACHED THERETO TO  
DETERMINE WHETHER THIS OBJECTION AFFECTS THEIR  
CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
DEBTORS' COUNSEL, LEE J. GOLDBERG, AT 212-310-8928.**

WEIL, GOTSHAL & MANGES LLP  
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New York, New York 10153  
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Robert J. Lemons

Attorneys for Debtors  
and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re	: Chapter 11 Case No.
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	: 08-13555 (JMP)
	:
Debtors.	: (Jointly Administered)
-----X	

**NOTICE OF HEARING ON DEBTORS' TWO HUNDRED THIRTY-THIRD  
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY DERIVATIVES CLAIMS)**

**PLEASE TAKE NOTICE** that on November 8, 2011, Lehman Brothers  
Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and  
debtors in possession (collectively, the "Debtors"), filed their two hundred thirty-third omnibus  
objection to claims (the "Debtors' Two Hundred Thirty-Third Omnibus Objection to Claims"),

and that a hearing (the “Hearing”) to consider the Debtors’ Two Hundred Thirty-Third Omnibus Objection to Claims will be held before the Honorable James M. Peck, United States Bankruptcy Judge, in Courtroom 601 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on **December 21, 2011 at 10:00 a.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE** that any responses to the Debtors’ Two Hundred Thirty-Third Omnibus Objection to Claims must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court’s filing system, and (b) by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), in accordance with General Order M-182 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)), and served in accordance with General Order M-399, and on (i) the chambers of the Honorable James M. Peck, One Bowling Green, New York, New York 10004, Courtroom 601; (ii) attorneys for the Debtors, Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153 (Attn: Robert J. Lemons, Esq. and Lee J. Goldberg, Esq.); (iii) the Office of the United States Trustee for Region 2, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Tracy Hope Davis, Esq., Elisabetta Gasparini, Esq., and Andrea B. Schwartz, Esq.); and (iv) attorneys for the official committee of unsecured creditors appointed in these cases, Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Dennis O’Donnell, Esq., and Evan Fleck, Esq.); so as to be so filed and received by no later than **December 8, 2011 at 4:00**

**p.m. (Eastern Time)** (the “Response Deadline”).

**PLEASE TAKE FURTHER NOTICE** that if no responses are timely filed and served with respect to the Debtors’ Two Hundred Thirty-Third Omnibus Objection to Claims or any claim set forth thereon, the Debtors may, on or after the Response Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Debtors’ Two Hundred Thirty-Third Omnibus Objection to Claims, which order may be entered with no further notice or opportunity to be heard offered to any party.

Dated: November 8, 2011  
New York, New York

/s/ Robert J. Lemons  
Robert J. Lemons

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re	: Chapter 11 Case No.
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	: 08-13555 (JMP)
	:
Debtors.	: (Jointly Administered)
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**DEBTORS' TWO HUNDRED THIRTY-THIRD OMNIBUS  
OBJECTION TO CLAIMS (NO LIABILITY DERIVATIVES CLAIMS)**

**THIS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN  
FILED PROOFS OF CLAIM. PARTIES RECEIVING THIS TWO  
HUNDRED THIRTY-THIRD OMNIBUS OBJECTION TO CLAIMS  
SHOULD REVIEW THE OMNIBUS OBJECTION TO SEE IF THEIR  
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CLAIM(S).**

**IF YOU HAVE QUESTIONS, PLEASE CONTACT  
DEBTORS' COUNSEL, LEE J. GOLDBERG, AT 212-310-8928.**

TO THE HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE:

Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors, in the above-  
referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"),  
respectfully represent:

### **Relief Requested**

1. The Debtors file this two hundred thirty-third omnibus objection to claims (the “Two Hundred Thirty-Third Omnibus Objection to Claims”) pursuant to section 502(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim filed in these chapter 11 cases (the “Procedures Order”) [ECF No. 6664], seeking to disallow and expunge the claims listed on Exhibit A annexed hereto.

2. The Debtors have examined the proofs of claim identified on Exhibit A (collectively, the “No Liability Derivatives Claims”) and have determined that the No Liability Derivatives Claims should be disallowed and expunged on the basis that they provide no basis of liability as to the Debtors. After a review of the claimant’s supporting documentation and the Debtors’ books and records, the Debtors have determined that, based on the fair, accurate, and reasonable values of the subject Derivatives Contracts (as defined herein) and the netting provisions thereunder, the Debtors do not owe any amounts to the claimants but rather, in most cases, the respective claimants actually owe money to the Debtors based on such Derivatives Contracts. Therefore, the No Liability Derivatives Claims do not constitute valid *prima facie* claims, and the Debtors request they be disallowed and expunged in their entirety.

3. The Debtors reserve all their rights to object on any basis to any No Liability Derivatives Claim as to which the Court does not grant the relief requested herein.

### **Jurisdiction**

4. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

### **Background**

5. Commencing on September 15, 2008 and periodically thereafter, LBHI and certain of its subsidiaries commenced with this Court voluntary cases under chapter 11 of the Bankruptcy Code. The Debtors' chapter 11 cases have been consolidated for procedural purposes only and are being jointly administered pursuant to Bankruptcy Rule 1015(b). The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

6. On September 17, 2008, the United States Trustee for Region 2 (the "U.S. Trustee") appointed the statutory committee of unsecured creditors pursuant to section 1102 of the Bankruptcy Code (the "Creditors' Committee").

7. On January 19, 2009, the U.S. Trustee appointed Anton R. Valukas as Examiner in the above-captioned chapter 11 cases (the "Examiner") and by order, dated January 20, 2009 [ECF No. 2583], the Court approved the U.S. Trustee's appointment of the Examiner. The Examiner has filed his report on March 11, 2010 pursuant to section 1106(b) of the Bankruptcy Code [ECF No. 7531].

8. On July 2, 2009, this Court entered an order setting forth procedures for filing proofs of claim in these chapter 11 cases, including procedures for filing proofs of claim and supporting documentation for claims based on Derivatives Contracts<sup>1</sup> (the "Bar Date Order") [ECF No. 4271]. The Bar Date Order provided that "each holder of a claim against a Debtor based on amounts owed pursuant to any Derivative Contract must: . . . complete the electronic Derivative Questionnaire [and] electronically upload supporting documentation on the website . . . ." (Bar Date Order at 7) The Bar Date Order further provided that "each holder of a

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<sup>1</sup> "Derivative Contract" is defined in the Bar Date Order as meaning "any contract that is of (i) a 'swap agreement' as such term is defined in section 101(53B) of the Bankruptcy Code or (ii) a 'forward contract' as such term is defined in section 101(25) of the Bankruptcy Code . . . ." (See Bar Date Order at 6).

claim against a Debtor based on a Guarantee by a Debtor of the obligations of a non-Debtor entity under a Derivative Contract must [also]: . . . complete the electronic Guarantee Questionnaire and electronically upload supporting documentation on the website . . . .” (*Id.* at 8.) A copy of the Bar Date Order was made publicly available at <http://www.lehman-docket.com>.

9. Exhibit C to the Bar Date Order was a version of the Derivative Questionnaire, which required that the claimant provide various information in support of its claim, such as copies of relevant agreements; a copy of the termination notice; a valuation statement; individual trade-level detail; trade value methodology and quotations; and unpaid amounts, collateral, and other costs associated with the claim pursuant to the Derivatives Contract. Also attached to the Bar Date Order was Exhibit D, a version of the Guarantee Questionnaire setting forth the information forming the basis of the claimant’s assertions of a guarantee claim.

10. On January 14, 2010, the Court entered the Procedures Order, which authorizes the Debtors, among other things, to file omnibus objections to no more than 500 claims at a time, on various grounds, including those set forth in Bankruptcy Rule 3007(d) and those additional grounds set forth in the Procedures Order.

**The No Liability Derivatives Claims Should Be Disallowed and Expunged**

11. In reviewing the claims filed on the claims register in these cases and maintained by the Court-appointed claims agent, the Debtors have identified the No Liability Derivatives Claims as claims that should be disallowed and expunged on the basis that they provide no basis of liability as to the Debtors. The Derivatives Contracts that underlie the No Liability Derivatives Claims have either been terminated or matured pursuant to the terms thereof. After a review of the claimants’ supporting documentation and the Debtors’ books and

records, the Debtors have determined that, based on the fair, accurate, and reasonable values of the subject Derivatives Contracts and the netting provisions thereunder, the Debtors do not owe any amounts to the claimants but rather either no amounts are owed under the Derivatives Contracts to either party or the respective claimants actually owe money to the Debtors based on such Derivatives Contracts, and, therefore, the No Liability Derivatives Claims do not constitute valid *prima facie* claims.

12. A filed proof of claim is “deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a). If an objection refuting at least one of the claim’s essential allegations is asserted, the claimant has the burden to demonstrate the validity of the claim. *See In re Oneida Ltd.*, 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); *In re Adelphia Commc’ns Corp.*, Ch. 11 Case No. 02-41729 (REG), 2007 Bankr. LEXIS 660 at \*15 (Bankr. S.D.N.Y. Feb. 20, 2007); *In re Rockefeller Ctr. Props.*, 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000).

13. The Debtors have developed and currently utilize a thorough, multi-step process to review claims filed against the Debtors based on a Derivatives Contract (“Derivatives Claims”) in order to determine the fair, accurate, and reasonable value, if any, of such claims or, alternatively, the monetary recovery due to the Debtors with respect to the subject Derivatives Contract. In order to determine the amounts due under a Derivatives Contract, the Debtors:

- (i) collect and review documents related to the relevant Derivatives Claim including, but not limited to, the relevant Derivatives Questionnaire and/or Guarantee Questionnaire, the termination notice, and the valuation statement; (ii) reconcile posted collateral and any cash payments already received, made, or missed; and (iii) review the valuation methodology used by the claimant to determine the value of the claim, including verifying the legitimacy of quotes provided by the claimant in connection with its valuation statement, reviewing claimant’s “loss”



calculation, and evaluating any set-off claims.<sup>2</sup> Furthermore, the Debtors engage in, to the extent the holder is willing to so engage, lengthy negotiations with the holder of the Derivatives Claim that are often very detailed and may extend over a period of months.

14. The Debtors have undertaken this lengthy process with respect to each of the No Liability Derivatives Claims and concluded that a fair, accurate, and reasonable valuation of the No Liability Derivatives Claims demonstrates that the Debtors do not owe any of the claimants money and that either no amounts are owed to either party or the claimant in fact owes the Debtors money. Accordingly, the Debtors request that the Court disallow and expunge in their entirety the No Liability Derivatives Claims listed on Exhibit A.

15. In an effort to resolve differences between the Debtors and claimants asserting No Liability Derivatives Claims and because the subject Derivatives Contracts mostly constitute Derivatives Contracts for which the Debtors are owed money, the Debtors expect in many instances to commence alternative dispute resolution procedures approved by this Court in either (i) the *Affirmative Dispute Resolution Procedures Order for Affirmative Claims of Debtors Under Derivatives Contracts*, dated September 17, 2009 [ECF No. 5207] or (ii) the *Order Pursuant to Section 105 of the Bankruptcy Code, Bankruptcy Rule 9014, and General Order M-390 Authorizing the Debtors to Implement Claims Hearing Procedures and Alternative Dispute Resolution Procedures for Claims Against Debtors*, dated April 19, 2010 [ECF No. 8474], as applicable.

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<sup>2</sup> For a more comprehensive discussion of the valuation process, please see the Declaration of Gary H. Mandelblatt in Support of Debtors' Motion Pursuant to Section 502(b)(9) of the Bankruptcy Code and Bankruptcy Rule 3003(c)(3) for Establishment of the Deadline for Filing Proofs of Claim, Approval of the Form and Manner of Notice Thereof and Approval of the Proof of Claim Form (attached as "Exhibit C" to Debtors' Omnibus Reply to Objections to Motion of the Debtors, Pursuant to Section 502(b)(9) of the Bankruptcy Code and Bankruptcy Rule 3003(c)(3), for Establishment of the Deadline for Filing Proofs of Claim, Approval of the Form and Manner of Notice Thereof and Approval of the Proof of Claim Form [ECF No. 4113]).

**Notice**

16. No trustee has been appointed in these chapter 11 cases. The Debtors have served notice of this Two Hundred Thirty-Third Omnibus Objection to Claims on (i) the U.S. Trustee; (ii) the attorneys for the Creditors' Committee; (iii) the Securities and Exchange Commission; (iv) the Internal Revenue Service; (v) the United States Attorney for the Southern District of New York; (vi) each claimant listed on Exhibit A, and (vii) all other parties entitled to notice in accordance with the procedures set forth in the second amended order entered on June 17, 2010 governing case management and administrative procedures for these cases [ECF No. 9635]. The Debtors submit that no other or further notice need be provided.

17. No previous request for the relief sought herein has been made by the Debtors to this or any other Court.

WHEREFORE the Debtors respectfully request entry of an order granting the relief requested herein and such other and further relief as is just.

Dated: November 8, 2011  
New York, New York

/s/ Robert J. Lemons  
Robert J. Lemons

WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
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Attorneys for Debtors  
and Debtors in Possession

**Exhibit A**

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	A.M. MCGREGOR ATTN: PRESIDENT & CEO 14900 PRIVATE DRIVE EAST CLEVELAND, OH 44112	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	15638	Undetermined	No Liability Claim
2	A.M. MCGREGOR 14900 PRIVATE DRIVE EAST CLEVELAND, OH 44112	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/17/2009	15639	Undetermined	No Liability Claim
3	ARES ENHANCED CREDIT OPPORTUNITIES MASTER FUND LP STATE STREET BANK ATTN: JONATHAN LONG 200 CLARENDON STREET, 6TH FLOOR BOSTON, MA 02116	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	21852	\$22,635,513.41	No Liability Claim
4	AVIVA INVESTORS NORTH AMERICA, INC. AS SUCCESSOR IN INTEREST TO AVQUAEST CAPITAL MASTER FUND, LTD. ATTN: SHANI HATFIELD 699 WALNUT STREET, SUITE 17000 DES MOINES, IA 50309	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	08/19/2011	67636	\$0.00	No Liability Claim
5	BANK SARASIN & CO LTD C/O BAR & KARRER AG, ATTN: PETER HSU BRANDSCHENKESTRASSE 90 8027 ZURICH SWITZERLAND	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22808	\$578,051.03	No Liability Claim
6	BANK SARASIN & CO LTD C/O BAR & KARRER AG, ATTN: PETER HSU BRANDSCHENKESTRASSE 90 8027 ZURICH SWITZERLAND	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22809	\$200,947.86	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
7	BANK SARASIN & CO LTD C/O BAR & KARRER AG, ATTN: PETER HSU BRANDSCHENKESTRASSE 90 8027 ZURICH SWITZERLAND	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22810	\$260,123.69	No Liability Claim
8	BANK SARASIN & CO LTD C/O BAR & KARRER AG, ATTN: PETER HSU BRANDSCHENKESTRASSE 90 8027 ZURICH SWITZERLAND	08-13901 (JMP)	Lehman Brothers Commercial Corporation	09/21/2009	22811	\$578,051.03	No Liability Claim
9	BANK SARASIN & CO LTD C/O BAR & KARRER AG ATTN: PETER HSU BRANDSCHENKESTRASSE 90 8027 ZURICH, SWITZERLAND	08-13901 (JMP)	Lehman Brothers Commercial Corporation	09/21/2009	22957	\$200,947.86	No Liability Claim
10	C.M. LIFE INSURANCE COMPANY C/O MASSACHUSETTS MUTAL LIFE INSURANCE COMPANY ATTN: MICHELE KUNITZ 1500 MAIN STREET TS28 SPRINGFIELD, MA 01115	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/21/2009	23644	Undetermined	No Liability Claim
11	C.M. LIFE INSURANCE COMPANY C/O MASSACHUSETTS MUTAL LIFE INSURANCE COMPANY ATTN: MICHELE KUNITZ 1500 MAIN STREET TS28 SPRINGFIELD, MA 01115	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	23645	Undetermined	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
12	CAMERON MCKINNEY LLC C/O LEHMAN BROTHERS REAL EASTATE PARTNERS II LP ATTN: JUDY TURCHIN & JI YEONG CHU 1271 AVE OF THE AMERICAS 38TH FLOOR NEW YORK, NY 10020	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	28851	Undetermined	No Liability Claim
13	CAMERON MCKINNEY LLC A/C REPE LBREP III LLC ATTN: JUDY TURCHIN / JI YEONG CHU 1271 AVENUE OF THE AMERICAS, 38TH FLOOR NEW YORK, NY 10020	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	28852	Undetermined	No Liability Claim
14	CHINA DEVELOPMENT BANK CORPORATION NO.29, FUCHENG MENWAI STREET XICHENG DISTRICT ATTN: MS. ZHAO JIAXING, LAW AFFAIRS DEPT. BEIJING, CHINA	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	11/16/2009	65580	\$13,423,051.72*	No Liability Claim
15	CHINA DEVELOPMENT BANK CORPORATION NO.29, FUCHENG MENWAI STREET XICHENG DISTRICT ATTN: MS. ZHAO JIAXING, LAW AFFAIRS DEPT. BEIJING, CHINA	08-13555 (JMP)	Lehman Brothers Holdings Inc.	11/16/2009	65581	\$13,423,051.72*	No Liability Claim

\* - Indicates claim contains unliquidated and/or undetermined amounts

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
16	CONTRARIAN FUNDS, LLC AS ASSIGNEE OF BARING EMERGING MARKETS DEBT FUND ATTN: ALPA JIMENEZ 411 WEST PUTNAM AVENUE, SUITE 425 GREENWICH, CT 06830	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	29340	\$5,585.00	No Liability Claim
17	EVERGREEN SOLAR, INC. ATTN: CHRISTIAN M. EHRBAR 138 BARTLETT STREET MARLBOROUGH, MA 01752	08-13893 (JMP)	Lehman Brothers OTC Derivatives Inc.	09/22/2009	28006	Undetermined	No Liability Claim
18	EVERGREEN SOLAR, INC. ATTN: CHRISTIAN M. EHRBAR 138 BARTLETT STREET MARLBOROUGH, MA 01752	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	28007	Undetermined	No Liability Claim
19	GABRIEL CAPITAL, L.P. 450 PARK AVENUE NEW YORK, NY 10022	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	15125	\$8,542,177.00	No Liability Claim
20	GESTORA DE FONDOS DEL MEDITERRANEO, S.G.I.I.C., S.A. ATTN: MR. SALVADOR IBIZA BEVIA AVENIDA DE ELCHE, 178 CENTRO ADMINISTRATIVO, PLANTA 2 A ALICANTE, 03008 SPAIN	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	26529	\$1,735,571.25*	No Liability Claim
21	GRANITE FINANCE LIMITED C/O HSBC HOUSE ATTN: THE DIRECTORS ATTN: CONNAN HILL & SYLVIA LEWIS 68 WEST BAY ROAD GEORGE TOWN GRAND CAYMAN, KY1-1102 CAYMAN ISLANDS	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	27867	Undetermined	No Liability Claim

\* - Indicates claim contains unliquidated and/or undetermined amounts

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
22	GRANITE FINANCE LIMITED C/O HSBC HOUSE ATTN: THE DIRECTORS ATTN: CONNAN HILL & SYLVIA LEWIS 68 WEST BAY ROAD GEORGE TOWN GRAND CAYMAN, KY1-1102 CAYMAN ISLANDS	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	27868	Undetermined	No Liability Claim
23	GRANITE FINANCE LIMITED ATTN: THE DIRECTORS HSBC HOUSE, 68 WEST BAY ROAD GEORGE TOWN, GRAND CAYMAN, KY1-1102 CAYMAN ISLANDS	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	27871	Undetermined	No Liability Claim
24	GRANITE FINANCE LIMITED ATTN: THE DIRECTORS HSBC HOUSE, 68 WEST BAY ROAD GEORGE TOWN, GRAND CAYMAN, KY1-1102 CAYMAN ISLANDS	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	27882	Undetermined	No Liability Claim
25	HOKKAIDO INTL AIRLINES CO., LTD. ATTN: YOSHIKAZU OYAUCGI, EXECUTIVE MANAGING DIRECTOR NISHI 2-CHOME 9 KITA 1-JO CHUO KU SAPPORO HOKKAIDO, 060-0001 JAPAN	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22944	\$934,058.01	No Liability Claim



## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
26	INGRAM PENSION PLAN/NY LIFE CO. TTEE INGRAM INDUSTRIES RETIREMENT PLAN TRANSFEROR: LEHMAN BROTHERS ALPHA TRANSPORT FUND, SPC C/O INGRAM INDUSTRIES INC. 4400 HARDING ROAD ATTN: JEFF BELSER NASHVILLE, TN 37205	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	24608	\$128,547.88*	No Liability Claim
27	JENNERS POND C/O SIMPSON SENIOR SERVICES ATTN: JAMES J. KONIZEWSKI, CHIEF FINANCIAL OFFICER 150 MONUMENT ROAD SUITE 105 BALA CYNWYD, PA 19004-1725	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	34298	\$826,841.00	No Liability Claim
28	JENNERS POND ATTN: CHIEF FINANCIAL OFFICER C/O SIMPSON SENIOR SERVICES 150 MONUMENT ROAD, SUITE 105 BALA CYNWYD, PA 19004-1725	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	34299	\$826,841.00	No Liability Claim
29	JOHN HANCOCK BOND FUND C/O STEVEN SUNNERBERG- ASST VP & SENIOR COUNSEL 601 CONGRESS STREET BOSTON, MA 02210	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22547	\$121,712.50	No Liability Claim
30	LEHMAN BROTHERS OFFSHORE PARTNERS LTD. TRANSFEROR: LEHMAN BROTHERS ALPHA TRANSPORT FUND, SPC 1271 AVENUE OF THE AMERICAS, 38TH FLOOR ATTN: ASHVIN RAO NEW YORK, NY 10020	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	24609	\$14,531.86*	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
31	LEHMAN BROTHERS OFFSHORE PARTNERS LTD. TRANSFEROR: LEHMAN BROTHERS ALPHA TRANSPORT FUND, SPC 1271 AVENUE OF THE AMERICAS, 38TH FLOOR ATTN: ASHVIN RAO NEW YORK, NY 10020	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/21/2009	24611	\$14,531.86*	No Liability Claim
32	M. STEVEN SEMBLER AND SANDRA C. SEMBLER, TENANTS BY ENTIRETY 1511 N. WESTSHORE BLVD., SUITE 300 TAMPA, FL 33615	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	33251	\$824,000.00	No Liability Claim
33	MAGNETAR CONSTELLATION MASTER FUND LTD MAGNETAR CAPITAL LLC 1603 ORRINGTON AVENUE, 13TH FLOOR EVANSTON, IL 60201	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/15/2009	12700	\$20,130,595.00	No Liability Claim
34	MAGNETAR CONSTELLATION MASTER FUND, LTD C/O MAGNETAR FINANCIAL LLC 1603 ORRINGTON AVENUE, 13TH FLOOR ATTN: SUSAN FURMAN EVANSTON, IL 60201	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/15/2009	12722	\$20,130,595.00	No Liability Claim
35	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY C/O COLLEEN A MURPHY ESQ MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	30549	Undetermined	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
36	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY C/O COLLEEN A. MURPHY, ESQ. MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	31092	Undetermined	No Liability Claim
37	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY C/O MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P. C. ATTN: COLLEEN A. MURPHY, ESQ. ONE FINANCIAL CENTER BOSTON, MA 02111	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	31920	Undetermined	No Liability Claim
38	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY C/O MINTZ, LEVIN, COHN, FERRIS GLOVSKY AND POPEO, P.C. ATTN: COLLEEN A. MURPHY, ESQ. ONE FINANCIAL CENTER BOSTON, MA 02111	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	32319	\$807,304.81*	No Liability Claim
39	ONDERLINGE WAARBORGMAATSCHAPPIJ CENTRALE ZORGVERZEKERAARS GROEP, ZORGVERZEKERAAR U.A. ("CZ") ATTN: MASCHA VERHOEVEN RINGBAAN WEST 236 POSTBUS 90152 5000 LD TILBURG, 5038 KE NETHERLANDS	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	31544	\$188,056.71*	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
40	PICERNE DEVELOPMENT CORP OF FLORIDA ATTN: RICHARD HALEY C/O RICHARD R. HALEY 247 NORTH WESTMONTE DRIVE ALTAMONTE SPRINGS, FL 32714	08-13555 (JMP)	Lehman Brothers Holdings Inc.	08/17/2009	8541	\$1,080.00	No Liability Claim
41	PRIMUS CLO I LTD C/O WALKERS SPV LIMITED WALKER HOUSE, 87 MARY STREET GEORGE TOWN GRAND CAYMAN, KY1-2002 CAYMAN ISLANDS	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	01/30/2009	2282	\$8,400,000.00*	No Liability Claim
42	PRIMUS CLO I LTD C/O WALKERS SPV LIMITED WALKER HOUSE, 87 MARY STREET GEORGE TOWN GRAND CAYMAN, KY1-2002 CAYMAN ISLANDS	08-13555 (JMP)	Lehman Brothers Holdings Inc.	01/30/2009	2283	\$8,400,000.00*	No Liability Claim
43	PRIMUS TELECOMMUNICATIONS CANADA INC 5343 DUNDAS STREET W., SUITE 400 TORONTO, ON M9B 6K5 CANADA	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	14708	\$1,332,065.25*	No Liability Claim
44	PRIMUS TELECOMMUNICATIONS CANADA INC 5343 DUNDAS STREET W., SUITE 400 TORONTO, ON M9B 6K5 CANADA	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/17/2009	14709	\$1,332,065.25*	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
45	SAPHIR FINANCE PLC - SERIES 2006-3 CLASS A3 C/O BANK OF NEW YORK MELLON - LONDON BRANCH, THE ATTN: SANAJAY JOBANPUTRA - VICE PRESIDENT, GLOBAL CORPORATE TRUST ONE CANADA SQUARE LONDON, E14 5AL UNITED KINGDOM	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	25918	Undetermined	No Liability Claim
46	SAPHIR FINANCE PLC - SERIES 2006-3 CLASS A3 C/O BANK OF NEW YORK MELLON - LONDON BRANCH, THE ATTN: SANAJAY JOBANPUTRA - VICE PRESIDENT, GLOBAL CORPORATE TRUST ONE CANADA SQUARE LONDON, E14 5AL UNITED KINGDOM	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/21/2009	25919	Undetermined	No Liability Claim
47	SAPHIR FINANCE PLC - SERIES 2006-3 CLASS A4 C/O BANK OF NEW YORK MELLON - LONDON BRANCH, THE ATTN: SANAJAY JOBANPUTRA - VICE PRESIDENT, GLOBAL CORPORATE TRUST ONE CANADA SQUARE LONDON, E14 5AL UNITED KINGDOM	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	25916	Undetermined	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
48	SAPHIR FINANCE PLC - SERIES 2006-3 CLASS A4 C/O BANK OF NEW YORK MELLON - LONDON BRANCH, THE ATTN: SANAJAY JOBANPUTRA - VICE PRESIDENT, GLOBAL CORPORATE TRUST ONE CANADA SQUARE LONDON, E14 5AL UNITED KINGDOM	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/21/2009	25917	Undetermined	No Liability Claim
49	SBA COMMUNICATIONS CORPORATION C/O JOHN J. MONAGHAN, ESQ. HOLLAND & KNIGHT LLP 10 ST. JAMES AVENUE BOSTON, MA 02116	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	22612	\$49,566,165.00	No Liability Claim
50	SMURFIT KAPPA ACQUISITIONS F/K/A JSG ACQUISITIONS F/K/A MDCP ACQUISITIONS I ATTN: BRENDAN GLYNN BEECH HILL DUBLIN, 4 IRELAND	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	15914	\$567,457.00	No Liability Claim
51	SOUTHERN PACIFIC SECURITIES 05-1 PLC C/O CAPITA TRUST COMPANY LIMITED ATTN: EMMA HAMLEY 7TH FLOOR, PHOENIX HOUSE 18 KING WILLIAM STREET LONDON, EC4N 7HE UNITED KINGDOM	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	28740	\$86,513.76*	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
52	SOUTHERN PACIFIC SECURITIES 05-1 PLC CAPITA TRUST COMPANY LIMITED ATTN: EMMA HAMLEY 7TH FLOOR, PHOENIX HOUSE 18 KING WILLIAM STREET LONDON, EC4N 7HE UNITED KINGDOM	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	28828	\$86,513.76*	No Liability Claim
53	STICHTING PENSIOENFONDS ABP C/O APG ASSET MANAGEMENT US INC ATTN: MARK SINGER 666 THIRD AVE, SECOND FLOOR NEW YORK, NY 10017	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/21/2009	21963	\$13,765,430.00*	No Liability Claim
54	THE BANK OF NEW YORK MELLON AS SWAP CONTRACT ADMIN STRUCTURED ADJUSTABLE RATE MORTGAGE LOAN TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-15 ATTN: MARTIN FEIG, VICE PRESIDENT 101 BARCLAY STREET; 8 WEST NEW YORK, NY 10286	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	14606	Undetermined	No Liability Claim
55	TUDOR BVI GLOBAL PORTFOLIO L.P., THE TUDOR INVESTMENT CORPORATION, PROCESS AGENT ATTN: STEPHEN N. WALDMAN 1275 KING ST. GREENWICH, CT 06831	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	27668	\$299,947.80*	No Liability Claim

## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
56	TURKIYE SINAI KALKINMA BANKASI AS ATTN: KORHAN AKLAR MECLISI MEBUSAN CAD. 81 FINDIKLI 34427 ISTANBUL, TURKEY	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/17/2009	15806	\$1,127,080.00*	No Liability Claim
57	VANGUARD 30-40 YEAR DURATION EURO INDEX FUND, A SUB-FUND OF VANGUARD INVESTMENT SERIES PLC ATTN: MICHAEL DRAYO PO BOX 2600 VALLEY FORGE, PA 19482	08-13555 (JMP)	Lehman Brothers Holdings Inc.	10/22/2009	43963	\$502,244.11	No Liability Claim
58	VANGUARD U.S. FUTURES FUND, A SUB-FUND OF VANGUARD INVESTMENT SERIES PLC ATTN: MICHAEL DRAYO PO BOX 2600 VALLEY FORGE, PA 19482	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/18/2009	16709	\$302,960.74	No Liability Claim
59	WELLS FARGO BANK, NATIONAL ASSOCIATION, NOT INDIVIDUALLY BUT SOLELY IN ITS CAPACITY AS TRUSTEE PURSUANT TO VARIOUS TRUST AGREEMENTS C/O WELLS FARGO BANK, NATIONAL ASSOCIATION ATTN: MARY SOHLBERG, MAC N9311- 161 625 MARQUETTE AVENUE MINNEAPOLIS, MN 55479	08-13888 (JMP)	Lehman Brothers Special Financing Inc.	09/22/2009	33087	Undetermined	No Liability Claim



## IN RE LEHMAN BROTHERS HOLDINGS INC., ET AL., CASE NO: 08-13555 (JMP)

## OMNIBUS OBJECTION 233: EXHIBIT A - NO LIABILITY CLAIMS

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
60	ZWINGER OPCO 6BV C/O WHITEHALL MANAGEMENT SERVICES BV ATTN: GERARD MEIJSEN, MANAGING DIRECTOR D-TOWER 11TH FLOOR STRAWINSKYLAAN 1161 AMSTERDAM, 1077 XX NETHERLANDS	08-13555 (JMP)	Lehman Brothers Holdings Inc.	09/22/2009	26679	\$1,262,060.00*	No Liability Claim
TOTAL						\$193,562,269.87	

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11 Case No.
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	: 08-13555 (JMP)
	:
Debtors.	: (Jointly Administered)
-----X	

**ORDER GRANTING DEBTORS' TWO HUNDRED THIRTY-THIRD  
OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY DERIVATIVES CLAIMS)**

Upon the two hundred thirty-third omnibus objection to claims, dated November 8, 2011 (the "Two Hundred Thirty-Third Omnibus Objection to Claims"),<sup>1</sup> of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"), pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [ECF No. 6664] (the "Procedures Order"), seeking disallowance and expungement of the No Liability Derivatives Claims on the grounds that they assert claims for which the Debtors have no liability, all as more fully described in the Two Hundred Thirty-Third Omnibus Objection to Claims; and due and proper notice of the Two Hundred Thirty-Third Omnibus Objection to Claims having been provided to (i) the U.S. Trustee; (ii) the attorneys for the Creditors' Committee; (iii) the Securities and Exchange Commission; (iv) the Internal Revenue Service; (v) the United States Attorney for the Southern District of New York; (vi) the claimants listed on Exhibit A attached to the Two Hundred Thirty-Third Omnibus Objection to Claims; and (vii) all other parties entitled to notice in accordance with the procedures set forth in the second amended order entered on June 17, 2010 governing case management and

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<sup>1</sup> Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors' Two Hundred Thirty-Third Omnibus Objection to Claims.

administrative procedures for these cases [ECF No. 9635]; and the Court having found and determined that the relief sought in the Two Hundred Thirty-Third Omnibus Objection to Claims is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Two Hundred Thirty-Third Omnibus Objection to Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Two Hundred Thirty-Third Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit 1 annexed hereto are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that this Order supersedes all previous orders regarding the No Liability Derivatives Claims listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object and defend on any basis are expressly reserved with respect to, any claim listed on Exhibit A annexed to the Two Hundred Thirty-Third Omnibus Objection to Claims that is not listed on Exhibit 1 annexed hereto; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2011  
New York, New York

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UNITED STATES BANKRUPTCY JUDGE